

Nixon Peabody LLP

Attorneys at Law

Suite 900
401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000

Fax: (202) 585-8080

PRIVILEGE AND CONFIDENTIALITY NOTICE

The information in this fax is intended for the named recipients only. It contains privileged and confidential matter. If you have received this fax in error, please notify us immediately by a collect telephone call to (202) 585-8000 and return the original to the sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.

FAX

To:	Company	Fax #:	Telephone #:
1) Customer Service Branch (Group Art Unit 1743)	USPTO	703-872-9306	
2)			

INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: Jeffrey A. Lindeman	Date: December 1, 2004	No. of Pages: 23 (including this page)	Client/Innater: 030793-034000
---------------------------	------------------------	---	-------------------------------

Comments:

Re: U.S. Patent Application No. 09/997,023

Inventor: R. Sam Niedbala, et al

Title: Sample Collector and Test DeviceAttached please find:

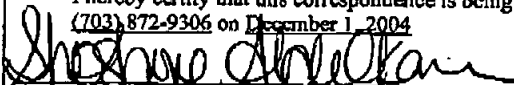
Transmittal Sheet
Fee Transmittal
Notice of Appeal Transmittal
Petition for Extension of Time
Amendment After Final Rejection (18 sheets)

RECEIVED
CENTRAL FAX CENTER

DEC 01 2004

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office: Fax No. (703) 872-9306 on December 1, 2004


Shoshone Abdulkareem

Original of the transmitted document will be sent by:
☐ First Class Mail ☐ Overnight Mail ☐ Hand Delivery ☐ This transmission will be the only form of delivery of this document

IF YOU DO NOT RECEIVE ALL OF THESE PAGES, PLEASE CONTACT THE FAX OPERATOR AS SOON AS POSSIBLE AT: (202) 585-8000. THANK YOU.

CONFIRMATION: DATE SENT _____ TIME _____ BY _____

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/997,023
		Filing Date	November 30, 2001
		First Named Inventor	R. Sam Niedbala, et al.
		Group Art Unit	1743
		Examiner Name	Lyle A. Alexander
Total Number of Pages in This Submission	22	Attorney Docket Number	030793-034000

RECEIVED
CENTRAL FAX CENTER

DEC 01 2004

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks: <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Jeffrey A. Lindeman (Reg. No. 34,658) Nixon Peabody LLP 401 9 th Street, N.W. Suite 900 Washington, D.C. 20004-2128
Signature	<i>Jeffrey A. Lindeman</i>
Date	12/1/04

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306

12/1/04
Date

Shoshone Abdulkariem
Signature

Shoshone Abdulkariem

Typed or printed name

FEE TRANSMITTAL FOR FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$1,320.00)

Application Number 09/997,023
Filing Date November 30, 2001
First Named Inventor R. Sam Niedbala, et al.
Examiner Name Lyle A. Alexander
Art Unit 1743
Attorney Docket No. 030793-034000

RECEIVED
CENTRAL FAX CENTER

DEC 01 2004

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 19-2380

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
20** =	X		0
Independent Claims	3** =	X	0
Multiple Dependent	X		0

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1051 130	2051 65	Surcharge - late filing fee or > 4th
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
1053 130	2053 130	Non-English specification
1812 2,520	2812 2,520	For filing a request for <i>ex parte</i> reexamination
1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action
1805 1,840*	2805 1,840*	Requesting publication of SIR after Examiner action
1251 110	2251 55	Extension for reply within first month
1252 430	2252 215	Extension for reply within second month
1253 980	2253 490	Extension for reply within third month
1254 1,530	2254 765	Extension for reply within fourth month
1255 2,080	2255 1,040	Extension for reply within fifth month
1401 340	2401 170	Notice of Appeal
1402 340	2402 170	Filing a brief in support of an appeal
1403 340	2403 150	Request for oral hearing
1451 1,510	2451 1,510	Petition to institute a public use proceeding
1452 110	2452 55	Petition to revive - unavoidable
1453 1,370	2453 685	Petition to revive - unintentional
1501 1,370	2501 685	Utility issue fee (or reissue)
1502 490	2502 245	Design issue fee
1503 660	2503 330	Plant issue fee
1460 130	2460 130	Petitions to the Commissioner
1807 50	2807 50	Processing fee under 37 CFR 1.117(a)
1806 180	2806 180	Submission of Information Disclosure Sheet
8021 40	28021 40	Recording each patent assignment per property (times number of properties)
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))
1801 790	2801 395	Request for Continued Examination (RCE)
1802 900	2802 900	Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$1,320.00)

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____
Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306

12/1/04
Date

Shoshie Abdulgader
Signature

Shoshie Abdulgader

Typed or printed name

SUBMITTED BY

Name (Print/Type) Jeffrey A. Lindeman

Registration No. 34,658

Complete (if applicable)

Telephone (202) 585-8000

Signature

Date

12/1/04

SEND TO: Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 030793-03400
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.9(a)] I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to Mail Stop _____, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at 703-872-9306 on <u>12/1/04</u> . Signature: <u>[Signature]</u> Name: <u>Shoshone Abdulkarim</u>		In re Application of <u>R. Sam Niedbala, et al.</u> Application Number <u>09/997,023</u> Filed November <u>10</u> , 2001 For SAMPLE COLLECTOR AND TEST DEVICE Group Art Unit <u>1743</u> Examiner <u>Lyle A. Alexander</u>
RECEIVED CENTRAL FAX DEC 0		
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application. The requested extension and appropriate entity fee are as follows (check time period desired):		
<input type="checkbox"/> One month (37 CFR 1.17(a)(1)) - (\$55/\$110) <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) - (\$215/\$430) <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) - (\$490/\$980) <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) - (\$765/\$1530) <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) - (\$1040/\$2080)	\$ _____ \$ _____ \$ <u>980.00</u> \$ _____ \$ _____	
<input type="checkbox"/> Applicant claims small entity status. <input type="checkbox"/> A check to cover the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Commissioner has already been authorized to charge fees in this application to a Deposit Account. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number <u>19-2380</u> . I have enclosed a duplicate copy of this sheet.		
I am the <input type="checkbox"/> applicant/inventor <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96). <input checked="" type="checkbox"/> attorney or agent of record. <input type="checkbox"/> attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____		
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		
<u>12/1/04</u> Date	<u>[Signature]</u> Signature <u>Jeffrey A. Lindeman</u> Typed or printed name	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.		
<input checked="" type="checkbox"/> Total of 2 forms are submitted.		